

REMARKS

Applicants respectfully request reconsideration. Claims 1-15 were previously pending in this application. Claims 9-15 are withdrawn from consideration. No claims have been amended. New claims 16-18 have been added. As a result, claims 1-8 and 16-18 are pending for examination with claims 1 and 18 being independent claims. No new matter has been added.

Rejections Under 35 U.S.C. §102

Claims 1-3 and 5 stand rejected under 35 U.S.C. §102(b) as being anticipated by Yamada (U.S. Patent No. 5,800,631). Yamada describes a solar cell module with improved reliability, having a structure that includes a photovoltaic element interposed between front and back side covering materials.

The Office Action states that Yamada teaches an electrode comprising a carbon carrying a metal and a binder. However, Applicants note that Yamada does not explicitly teach an electrode that comprises carbon carrying *both* a metal and a binder. Referring to col. 25, lines 44-53 of Yamada:

The collecting electrode 205 may comprise a metal such as Ti, Cr, Mo, W, Al, Ag, Ni, Cu, or Sn, or an alloy of these metals. Alternatively, the collecting electrode 205 may be formed of an electrically conductive paste or an electrically conductive resin. The electrically conductive paste can include electrically conductive pastes comprising powdered Ag, Au, Cu, Ni, or carbon dispersed in an appropriate binder resin. The binder resin can include polyester, epoxy resin, acrylic resin, alkyd resin, polyvinyl acetate, rubber, urethane resin, and phenol resin.

Applicants point out that Yamada discloses that either a powdered metal (i.e., Ag, Au, Cu, or Ni) *or* carbon are dispersed in an appropriate binder resin. Yamada does not disclose a carbon *carrying* a metal *and* a binder. As a result, because none of the applied references discloses a carbon carrying a metal and a binder, the rejection of independent claim 1 should be withdrawn. Because each of claims 2-8 depend from independent claim 1, the rejections of these claims should also be withdrawn.

Accordingly, withdrawal of this rejection is respectfully requested.

Rejections Under 35 U.S.C. §103

Claim 4 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Yamada in view of Ito (U.S. Patent No. 6,475,670). Claims 6-8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Yamada.

For at least the same reasons as stated above for independent claim 1, because each of claims 4 and 6-8 depend from independent claim 1, the rejections of these claims should also be withdrawn.

Accordingly, withdrawal of this rejection is respectfully requested.

New Claims

Applicants have added new claims 16-17 that depend from independent claim 1. For at least the same reasons as stated above for independent claim 1, these claims should be allowed.

Applicants have also added new independent claim 18 directed to an electrode comprising carbon carrying both a metal and a binder, wherein the amount of metal in the electrode is between 5 wt % and 15 wt % relative to the amount of carbon. Because none of the applied references disclose, at least, an electrode carrying both a metal and a binder, this claim should be allowed.

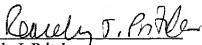
CONCLUSION

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, the Director is hereby authorized to charge any deficiency or credit any overpayment in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 23/2825, under Docket No. S1459.70092US00.

Dated: February 3, 2009

Respectfully submitted,

By 

Randy J. Pritzker
Registration No.: 35,986
WOLF, GREENFIELD & SACKS, P.C.
Federal Reserve Plaza
600 Atlantic Avenue
Boston, Massachusetts 02210-2206
617.646.8000